

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Bankruptcy No. 23-12983-mdc
	:	
Marc J. Chernoff	:	Chapter 13
	:	
Debtor	:	

**COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF REVENUE'S
OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN
DATED OCTOBER 19, 2023**

TO THE HONORABLE MAGDELINE D. COLEMAN,
UNITED STATES BANKRUPTCY JUDGE:

The Commonwealth of Pennsylvania, Department of Revenue ("Commonwealth"), by and through its counsel, Brad G. Kubisiak, Deputy Attorney General, Office of Attorney General, does hereby object as a party in interest to confirmation of Debtor's Chapter 13 Plan ("Plan") dated October 19, 2023, as follows:

1. On October 10, 2023, the Commonwealth filed a Proof of Claim for unpaid personal income taxes in the amount of \$20,620.38, the entirety of which is a secured claim pursuant to 11 U.S.C. § 506(a)(1).
2. The Plan fails to provide for full payment of the Commonwealth's secured claim, making the Plan not confirmable pursuant to 11 U.S.C. § 1325(a)(5).
3. The Plan fails to provide for payment of statutory interest at the rate of 7% on the Commonwealth's secured claim in violation of 11 U.S.C. § 1325(a)(5) or for the retention of liens throughout the life of the Plan, and it is therefore not confirmable.
4. The Plan fails to provide for full payment of the Commonwealth's priority claim, making the Plan not confirmable pursuant to 11 U.S.C. § 1322 (a)(2).

5. For the foregoing reasons, the Plan does not comply with the applicable provisions of the Bankruptcy Code and cannot be confirmed under 11 U.S.C. § 1325(a)(1).

WHEREFORE, the Commonwealth of Pennsylvania, Department of Revenue respectfully requests this Honorable Court Deny Confirmation of Debtor's Chapter 13 Plan dated August 22, 2022.

Date: January 10, 2024

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